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September 3, 1999

Commissioner of Patents and Trademarks
U S. Patent and Trademark Office
Washington, DC 20231

Dear Sir:

RE: New US Patent Application Entitled: PROCESS OF AND SYSTEM FOR SEAMLESSLY EMBEDDING EXECUTABLE PROGRAM CODE INTO MEDIA FILE FORMAT SUCH AS MP3 AND THE LIKE FOR EXECUTION BY DIGITAL MEDIA PLAYER AND VIEWING SYSTEMS
Inventors: Thomas W Meyer and Jossly Motha Meyer

We enclose the above-identified patent application, the filing fee of \$561.00, together with 10 (ten) sheets of drawings, and a Verified Statement (small entity status)

The Commissioner is hereby authorized to charge any additional fees that may be due, to the deposit account No. 18-1425 of the undersigned attorney,

Cordially,

RINES AND RINES

Robert H. Rines

RHR/ipo--Enclosures

Applicant or Patentee: Thomas W. Meyer and Josslyn Motha Meyer Attorney's
 Serial or Patent No.: _____ Docket No.: _____
 Filed or Issued: _____
 For: _____

Process Of And System For Seamlessly Embedding Executable Program Code Into Media
 File Formats Such As MP3 And The Like For Execution By Digital Media Player And
 Viewing Systems

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
 STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled as above described in _____

- ☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization
☐ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

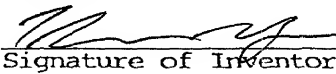
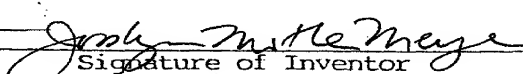
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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

<u>Thomas W. Meyer</u>	<u>Josslyn Motha Meyer</u>	
NAME OF INVENTOR	NAME OF INVENTOR	NAME OF INVENTOR
		
Signature of Inventor	Signature of Inventor	Signature of Inventor
September 2, 1999	September 2, 1999	
Date	Date	Date

Process Of And System For Seamlessly Embedding Executable Program Code Into Media
File Formats Such As MP3 And The Like For Execution By Digital Media Player And
Viewing Systems

Field of Invention

The present invention relates to the field of digital computer systems as embodied in digital media playback apparatus such as players for playing or permitting the viewing by playback of one or more of audio, video, still image, 3-D or other media formats of a wide variety of types; and, more particularly, to imbuing such systems with an extended capability to supplement their pre-prepared presentations with graphic, interactive and/or e-commerce content such as transactional advertising, interactive music videos and the like, and e-commerce generally, through novel techniques for seamlessly embedding executable program code representing such supplementary content into the various types of pre-prepared media files that the various players or viewers may execute -- the invention being particularly, though by no means exclusively, highly useful with "MP3" media formats and the like, later discussed

Background

There has been extensive prior use of the general concept of embedding various types of information in video, audio, sound, text, and other multimedia formats. There are two main approaches that have heretofore been employed to achieve these ends:

- 1) extending the format or creating a new format which contains that type of data; or
- 2) embedding the data, using techniques which allow the data to be recovered, but which do not affect the backwards compatibility of the format.

Examples of the second type of approach arise frequently in communication and entertainment media, for example, the backwards compatibility of color-television broadcast, or the transmission of subtitles and other information embedded in a video signal. Another example of a very popular application is the encoding of identification information in a media file so that it is robust to degradation, and transformation of the media file generally for purposes such as intellectual-property protection -- often referred to as "watermarking". These techniques and others of similar character are directed, however, towards the embedding of relatively low bit-rate data, roughly on the order of 22 binary digits (bits) of data per second. Such data typically consists of short and simple ASCII text or other unique identifiers. In another application, a control code is used for a computer system, to provide a very short signal control code as for preventing the computer from copying a copy-protected data file.

Among prior patents illustrative of such and related techniques and uses are U S Patents Nos 4,379, 947 (dealing with the transmitting of data simultaneously with audio), 5,185, 800 (using bit allocation for transformed digital audio broadcasting signals with adaptive quantization based on psychoauditive criteria); 5,687, 236 (steganographic techniques), 5,710, 834 (code signals conveyed through graphic images); 5,832, 119 (controlling systems by control signals embedded in empirical data); 5,850,481 (embedded documents, but not for arbitrary data or computer code); 5,889,868 (digital watermarks in digital data); and 5,893, 067 (echo data hiding in audio signals),

Prior publications describing such techniques include

Bender, W D Gruhl, M Morimoto and A. Lu, "Techniques for data hiding", *IBM Systems Journal*, Vol. 35, Nos. 3 & 4, 1996, p. 313-336;

MPEG Spec - ISO/IEC 11172, parts 1-3, *Information Technology - Coding of moving pictures and associated audio for digital storage media at up to about 1.5Mbit/s*, Copyright 1993, ISO/IEC; and

ID3v2 spec. <http://www.id3.org/easy.html>; and <http://www.id3.org/id3v2.3.0.html>

A survey of techniques for multimedia data labeling and particularly for copyright labeling using watermarking through encoding low bit-rate information is presented by Langelaar, G C. et al in "Copy Protection for Multimedia Data based on Labeling Techniques" http://www-it.et.tudelft.nl/html/rcsarch/smash/public/bcnlx96/bcnclux_cr.html

Underlying the present invention, however, is a novel technique for embedding a set of executable program instructions at high bit rates into a media file, without substantially affecting the user's playback experience of the media, and wherein, unlike prior art techniques, sequences of executable code are embedded in audio, video, image or sound formats, such as, for example, entertainment music or video programs or the like, which have not been specifically pre-designed as a container for, or to contain, such executable codes.

This supplemental embedding is done seamlessly and facilely, enabling supplementary graphic, interactive and/or e-commerce program content, such as the before-mentioned transactional and other advertising, interactive music videos, and e-commerce content, to be incorporated into the entertainment or other media files for execution by players and viewers while playing back the original entertainment or other media file material.

This technique has four main advantages:

- 1) executable code may be placed directly in the media file, simplifying content distribution and permitting the data and the executable code to be tightly integrated,
- 2) augmented viewers can transparently access the executable code;
- 3) existing viewers are backwards compatible and can still view the media file; and
- 4) large amounts of supplemental data may be facilely embedded in the media file

Using stegonographic techniques, moreover, the invention can embed data at very high bit rates. In one embodiment later discussed, for example, more than 3000 bits of executable code data per second are embedded in an MP3 audio file encoded at a bit-rate of 128,000 bits/sec (later discussed in connection with Table 1 herein)

Objects Of Invention

A principal object of the invention, accordingly, is to provide a new and improved process and system for seamlessly embedding executable program code into pre-prepared media file formats for execution by digital media player and viewing apparatus or systems and the like, to provide supplementary content such as the before-mentioned transactional advertising, games, interactive music videos, e-commerce and the like, for execution and presentation by the digital player and viewing apparatus or systems, while continuing to present the original pre-prepared media file programs.

A further object is to provide such a novel technique that is particularly useful for "MP3" applications and the like.

Another object is to open up new methods of conducting business through enabling consumer and related digital media file or disc players and viewers and the like to present also supplemental transactional advertising and e-commerce functions and the like, as later more fully explained

Other and further objects will be explained hereinafter and are more particularly delineated in the appended claims.

Summary

In summary, however, from one of its broader points of view, the invention embraces a process for supplementing pre-prepared media digital file content to be performed by a digital playback apparatus, with supplemental digital program content, that comprises, preparing such supplemental digital program content in the form of executable code; and embedding the executable code into the pre-prepared media file for execution by the playback apparatus supplementary to the playback of the pre-prepared media file content.

From another viewpoint, the invention provides a system for flexibly adding supplemental digital program content to the playback of a pre-prepared media file by digital playback apparatus, comprising, means for modifying the pre-prepared media digital file to embed sequences of executable code therein representing such supplemental program content, means provided in the digital playback apparatus for decoding the embedded code during playback of the modified media file at the digital playback

apparatus, and, in addition to means for playing back of the pre-prepared content of the media file, means provided at the digital playback apparatus responsive to the decoding for also presenting thereat the supplemental program content.

Preferred and best mode embodiments, designs, applications and implementations will be later fully described

Drawings

The invention will now be described with reference to the accompanying drawings,

Figures 1a, 1b and 1c of which are pictorial diagrams illustrative of novel supplementary presentations achievable by the use of sequences of embedded executable code of the present invention, with consumer and other digital "MP3" players;

Figure 1 is a block and flow diagram showing an overview of the encoding process and system operating in accordance with a preferred embodiment of the invention;

Figure 2 is a similar diagram presenting an overview of the decoding of the media file embedded with the executable code created in Figure 1, as executed by the media player or viewer;

Figure 3 is again a diagram similar to Figure 1, but detailed to show encoding for the illustrative specific example of MPEG audio (discussed in the earlier-referenced "MPEG Spec" publication), with id3v2 encoding (discussed in the previously cited "ID3v2 spec");

Figures 4 and 5 are similar diagrams directed respectively to using ancillary bits encoding and private stream encoding with the MPEG

Figure 6 is a diagram showing the incorporation of the previously (and later) discussed steganographic techniques into the encoding; and

Figure 7 illustrates the use of the before-mentioned watermarking processes with the encoding technique of the invention.

Description Of Preferred Embodiments Of The Invention

Before describing the preferred implementations of the novel process and systems of the invention, it is believed necessary to define and provide illustrative examples of the various terms and system components involved.

As earlier stated, and underlying the invention, is the overall concept of providing and novelly embedding in multi-media formats, executable code representing content supplemental to the present-day pre-prepared content of multi-media files (audio, video, still image, 3-D, combinations thereof, or other media formats) that are provided to be played or viewed by digital computer systems or apparatus (such as portable music players, PDAs or personal digital assistants, digital televisions, car stereos, home audio systems, video walls, Web TV, console and portable digital game devices and the like). By seamlessly embedding such sequences of supplemental content executable code in the pre-prepared media file, the player or viewer apparatus, in decoding the code, can also present such supplemental or additional content (for example, ads, interactive music videos, e-commerce, games, polls, and contests etc., as earlier mentioned), while presenting the pre-prepared program of the media file -- adding immeasurable additional information and facilities and significantly also increasing business and customer opportunities as a result

thereof -- in fact, a new method of doing or conducting such business at the player or viewer apparatus.

Referring to Figures 1a, 1b and 1c, for example, the addition of graphical, interactive and e-commerce-enabled content through the sequenced executable code embedding in the media file in accordance with present invention, is illustrated as presented upon exemplary well-known present-day widely distributed "MP3" audio players. The abbreviation "MP3" describes an MPEG layer III audio file -- a standard audio file format in wide use today throughout the world, as described in the published standard ISO/IEC 11172-3. The abbreviation MPEG stands for the audio and video compressed formats developed by the Motion Picture Experts Group, and formalized by ISO/IEC JTC1, as the before-mentioned International Standard ISO/IEC 11172, parts 1-3. Part 1 addresses the System, Part 2 is Video; and Part 3 is Audio Encoding.

In Figure 1a, the embedding of a 468 x 60 pixel interactive banner ad [the "United Colors Of Benetton"] into the MP3 stream is shown displayed within a "Free Amp" type MP3 player -- adding media presentation to the player music [the "Paint It Black" song]. This enables advertiser-sponsored music files, using the music to sell products. The facility for promoting and marketing directly to whatever demographic may be desired is thus opened up by the invention, also enabling the subsidizing of music distribution as well.

Similar opening-up of new avenues is provided in Figure 1b, illustrating the embedding of executable code (in this case, an interactive music video which responds to and is synchronized with the user's mouse movement and the beat of the music, as illustrated by the dancing figures), within a well-known commercial "Sonique" MP3 player.

As a third example of the new business solicitation opportunities afforded by the present invention, Figure 1c illustrates the embedding of executable code (in this case, an e-commerce application with a graphical user interface), allowing the user to buy tickets (so-labeled) or a CD, within another well-known commercial version of the Sonique MP3 player. This opens up a new and previously unavailable avenue of embedded point-of-purchase sales, enabling fully transactional ads and merchandising directly to the listener at the playback apparatus.

Further in accordance with the novel technique of the invention, the embedding of this executable code in the media file is seamlessly effected in such a way, as later explained, that compatible players/viewers are able to extract the executable code and perform operations based on it, while incompatible players/viewers are still able to play the media file as if there were no additional embedded information. Currently, none of these players of the type shown in Figures 1a, 1b and 1c support displays such as illustrated; they only allow for the extraction of limited data such as song titles and lyrics information from the MP3 stream, and for separately downloaded code ("plugins") which can be executed while the MP3 is playing. They do not allow for the embedding of sequences of executable code in the MP3 stream as is effected by the present invention.

Examples of the types of media files susceptible to operating with the embedded executable code sequence programs of the invention include, but are not limited to, the previously enumerated audio, video, still image, 3-D, or a combination of these or other media formats. Among these are MP3, SDMI, CD audio, AIFF, AU, WAV, RealAudio, Quicktime, MPEG, AVI, JPEG, JFIF, GIF, PNG, TIFF, DXF, or VRML.

Among the types of executable code programs which may be embedded into such media files are Java files, Macromedia Director, Shockwave or Flash, Perl, VRML, TCL, Visual Basic, machine code, byte codes, any archive format such as cab, jar or zip; or any combination of any of these programs with any non-executable media, including but not limited to image, audio, 3-D, or text. The content may be, but is not limited to, advertising, as previously mentioned, entertainment, utilities, applications, education, design, interactive advertising, transactional merchandising, or interactive content such as music videos, games, polls and contests, and the like

It is now in order to explain how the encoding and code embedding in the pre-prepared media file may be implemented in accordance with the invention. Reference is accordingly made to Figure 1 wherein a pre-prepared media file, so-labeled, (audio, image, video, 3-D, database, or other multimedia data as before mentioned), and a predetermined prepared executable code sequence (such as the previously mentioned computer program Java class files, Macromedia Shockwave and Flash, binary executables, byte codes, Visual Basic, Java Script, etc.) are shown fed to an encoding processor for embedding the code sequences, such as, for example, of the encoding types later described. Well-known encoding processes may be used depending on the media file format and any well-known compression techniques for the media file to be created, as later discussed. There then results a modified media file with embedded executable code without affecting its backwards compatibility with existing file formats, and without substantially affecting the user's experience of playback of the pre-prepared media file content.

It is to be noted, moreover, that the invention embeds sequences of executable code representing content supplemental to the pre-prepared content of the media file, into media

formats that have not been specifically predesigned as a container for, or to contain any such executable code. The code is placed directly into the media file, simplifying content distribution and permitting the data and executable code to be tightly integrated as earlier noted

At the player or viewer playback apparatus, Figure 2, the media file with the embedded executable code is shown fed to a decoding processor, such as later described. The original pre-prepared media file content [the "Paint It Black" song of Figure 1a, for example] is usually unchanged in the decoding process because it may often be unfeasible to remove the executable code and because doing so would not typically improve the user's playback experience, and is shown communicating on the left-hand side of Figure 2 with the media player apparatus of the playback environment. The decoded executable code [representing the "United Colors Of Benetton" display content of Figure 1a, for example], bitwise identical to the original executable code encoded in Figure 1, is fed (right-hand side in Figure 2) to the execution part of the playback environment. As an optional feature, a well-known checksum or digital signature is shown usable at "Verification Process", to verify that the code is unchanged before it is executed

Where desired, moreover, the execution of the executable code [the "United Colors Of Benetton" display above discussed, for example] may be synchronized by well-known communication with the player playback of the media file [the song "Paint It Black" or a selected portion thereof], as schematically shown by the legend "SYNC"

As a more specific example, Figure 3 diagrams the use of the before-described MPEG audio file into which the executable code is to be embedded. Reference is again made to the earlier cited "MPEG Spec" and "ID3v2 Spec" publications -- the MPEG audio

file being (though not limited to) an MPEG-1, MPEG-2, or MPEG-2.5 file, to be encoded using the Layer I, II, or III encodings. As in Figure 1, the executable code, so-labeled in Figure 3, may be in any kind of computer programs such as Java class files, Macromedia Shock wave and Flash, binary executables, byte codes, Visual Basic, Java Script, etc. The executable code is first shown unsynchronized by modifying any consecutive bytes of form %11111111 111 xxxxx so that they do not resemble a synchronization byte in the MPEG audio stream. The code is then encapsulated in ID3v2 format, documented at the public web site <http://id3.org>, and inserted in the encoding process, as shown, at the beginning of the MP3 audio stream as an ID3v2 tag. This results in an MPEG audio file with the embedded executable code, backwards compatible but slightly larger to accommodate the embedded code, and with the audio data unaffected, and any occurrences of the MPEG sync signal taken care of by the unsynchronization scheme.

More specifically, a preferred encoding system will now be detailed for such an MPEG audio stream, particularly with reference to the before-cited publicly available ID3v2.3.0 specification ("ID3v2"), located at <http://www.id3.org/id3v2.3.0.html>. There are a number of existing content types described in the ID3v2 spec, there named "frames". Frames are defined primarily for the ASCII text data such as song titles and lyrics, or for a still image to be embedded in the MPEG audio file. In this description, we create and define a new type of ID3 frame, named "EXEC", which is designed as a container for executable content, generally intended to be executed while the audio is playing.

In the following description, the notation \$xx is used to refer to a hexadecimal-encoded octet, e.g., \$00 represents the eight binary digits 00000000. The first four octets of this frame are the ISO-8859-1 (ASCII) characters "EXEC". This, in turn, is followed by

a four-octet Size header and a two-octet Flags header, as described in the ID3v2 specification. This is followed by \$00, to represent the use of ISO-8859-1 text encoding within the frame, or by \$01, to represent the use of ISO/IEC 10646-1 (Unicode) text encoding, later referenced. The next element is the ISO 8859-1 encoded MIME type of the executable content, as described in IETF RFC 2045, also later referenced, followed by \$00. For example, the MIME type of the before-mentioned Macromedia Flash files is "application/x-shockwave-flash". This is followed by a description of the executable code in the text encoding defined for that frame, terminated by \$00 if the encoding is ASCII, or \$00 \$00 if the encoding is Unicode. This is followed by a single octet, which is \$00 if there is no checksum, or \$01 if there is a checksum, as described in connection with Figure 2. If there is a checksum, this is followed by a checksum created by summing the octets of the executable code together, and taking the result modulo 256. This is useful because this lets the executable code be examined before executing, to reduce the possibility that there have been transmission errors that might cause erroneous instructions to be executed.

The final element is the binary or ASCII data of the executable code to be embedded in the MPEG data stream. As earlier explained, in Figure 3, it is necessary to perform the "unsynchronization" step within the executable code, where any occurrences of the bit sequence 11111111 111xxxxx, where "x" represents a bit which may either be 0 or 1, must be replaced. This is because MPEG players use such a bit sequence to identify the beginning of the audio data, and would otherwise begin interpreting the executable code as audio data. In the unsynchronization technique defined in the ID3v2 specification, all such sequences are replaced with the sequence 11111111 00000000 111xxxxx. Additionally, all sequences of the form \$FF \$00 are replaced with the sequence \$FF \$00 \$00.

The EXEC frame of the invention just described is then embedded in the ID3v2 tag as described in the ID3v2 specification. The resulting ID3v2 tag is then placed at the beginning of the MPEG audio stream, Figure 3, using the standard techniques described in the ID3v2 specification.

In the preferred embodiment of the invention, the decoding process is a simple reversal of the encoding process above-detailed. The ID3v2 tag is extracted from the beginning of the MPEG audio stream, and the relevant data is retrieved from the EXEC frame. The unsynchronization step in the executable code is then reversed, replacing all occurrences of \$FF 00 XX by the sequence \$FF XX, where XX represents any binary octets. If there is a checksum encoded in the EXEC frame, the octets of the executable code are summed, the result taken modulo 256, and compared with the encoded checksum. If they are equal, then execution proceeds

Based on the MIME type of the executable code, an appropriate execution environment is instantiated. In the case of the application/x-shockwave-flash type discussed previously, a reference execution environment is described by Macromedia in the Flash Standards Web page located at <http://www.macromedia.com/software/flash/open/>. The execution environment is then invoked to begin execution of the executable code simultaneously with the playback of the audio file. Additional Application Programming Interfaces (APIs) may be defined with reference to the execution environment to control the exact behavior of the execution environment relative to the audio file while playback is occurring

Specific references for fuller details of the above-explained techniques usable in the encoding and decoding process components of the invention, are.

[ISO-8859-1] ISO/IEC DIS 8859-1.

8-bit single-byte coded character sets, Part 1: Latin alphabet No. 1. Technical committee/subcommittee JTC 1/SC 2;

[MIME] Freed, N. and N. Borenstein, "Multipurpose Internet Mail Extensions (MIME) Part One: Format of Internet Message Bodies", RFC 2045, Nov 1996.

< url: <ftp://ftp.isi.edu/in-notes/rfc2045.txt>>; and

[UNICODE] ISO/IEC 10646-1:1993.

Universal Multiple-Octet coded Character Set (UCS), Part 1: Architecture and Basic Multilingual Plane. Technical committee/subcommittee: JTC1/SC 2

< url: <http://www.unicode.org>>.

A further modification is illustrated in Figure 4 wherein, for example, the MPEG audio file allows for ancillary bits at the end of an audio packet for padding purposes. In MPEG-2 these bits are used to encode surround sound data. The MPEG audio file is there shown subjected to additional compression to insure room for the insertion of executable code at the end of audio frames. To improve the quality of the audio compression process, it may be best to recompress from the uncompressed audio file, rather than recompressing the MPEG audio at a lower bit-rate. As illustrated in Figure 4, this is then combined in the encoding process with the executable code, with the insertion thereof at the end of the audio data in each audio frame. As above stated, since MPEG-2 uses the ancillary bits to encode surround sound data, it is necessary to ensure that the embedded code is not misinterpreted as surround sound audio data. The resulting media file with its embedded executable code is again backwards compatible, but the audio quality may be slightly, though entirely acceptably, diminished due to the additional compression.

Another MPEG variant modification is illustrated in Figure 5, providing for additional "private" streams of data to be encoded in addition to the standard audio and video streams of the MPEG file. As shown, the executable code is encoded in one or more

private data packets, using either synchronized or unsynchronized private data streams, and inserted in the encoding process into the existing MPEG file. The executable code-embedded media file that results, has a slightly increased file size to accommodate the executable code.

As earlier mentioned, steganographic techniques may be usefully employed, particularly in those applications such as digital "watermarking" (see, for example, earlier cited U.S. Patent No. 5,889, 868 and the Langelaar article). Figure 6 illustrates encoding in accordance with the process of the present invention using such steganographic techniques, which enables embedding much more than the prior art 300 bits/second of executable code

As shown on the left-hand side of the figure, the media file is subjected to a selection process involving selecting appropriate locations in the media file at which to embed data, based on the identification of minor changes that can be made to the actual media file content with minimal effects to the user's playback experience of the file. These changes, moreover, must be such that they can easily be detected by automated decoding, and the information accordingly recovered. Meanwhile, on the executable code side (right-hand in Figure 6), the code is transformed into a bit stream, as shown, by extracting the bytes of the executable code into a bit-by-bit representation, so that they can be inserted as such small changes into the media file. The thusly transformed executable code is then, in this steganographic encoding process, inserted at the appropriate locations of the media file by any well-known encoding technique, including those, for example, of earlier cited U.S. Patent No. 5,687, 236. The resulting executable code-embedded media file may, in some cases, slightly, but again totally acceptably, diminish the user's usual playback experience due to the embedding process

In Figure 7, the imbuing of the media file with a robust watermark and embedded executable code is illustrated. Most watermarking processes, including those earlier referenced, are robust and are not easily removed by modification of the media file, so they are not affected by a later encoding process to embed the executable code, as shown in Figure 7, wherein the data embedding is illustrated as effected after watermarking. This accommodates for data embedding techniques not robust to modifications of the media file.

We have performed successful preliminary tests of several of these various encoding techniques of the invention. Using an exemplary audio file taken from the song "Jealousy" by Natalie Merchant, we encoded as an MP3 at 128kbits/sec, using Fraunhofer's mp3enc encoder. The encoded portion of the file is 30 seconds long, and is 720 kilobytes in size. The primary encoding technique chosen was the Phase/Magnitude Frequency-Domain Low-Bit Coding Technique, while varying the interval at which data was encoded in the file.

The successful results are as shown in Table I below:

Table I

<i>Files</i>	<i>Embedding Interval</i>	<i>Date Rate Achieved</i>	<i>Affected Sound Quality</i>
Original CD	none	none	original
mp3	none	none	slight compression artifacts
mp3 w/data	1 bit/16 coefficients	2800 kbits/sec	close to original mp3
	1 bit/8 coefficients	5600 kbits/sec	
	1 bit/4 coefficients	11200 kbits/sec	some artifacts

The use of low-bit coding in which the least-significant bits of an audio portion of a media file are used, may be applied so as to spread the introduced noise substantially

Frequency-domain low-bit coding may also be used for encoding, in which the least-significant bits of the coefficients of the compressed audio portion of the media file are used

Further modifications will also occur to those skilled in this art, and are considered to fall within the spirit and scope of the invention as defined in the appended claims.

What is claimed is:

1. A process for supplementing pre-prepared media digital file content to be performed by a digital playback apparatus with supplemental digital program content, that comprises, preparing such supplemental digital program content in the form of executable code; and embedding the executable code into the pre-prepared media file for execution by the playback apparatus supplementary to the playback of the pre-prepared media file content.
2. The process of claim 1 wherein the media file has not been pre-prepared to contain such executable code, and the code is seamlessly embedded in the media file as supplemental digital program sequences of executable code
3. The process of claim 2 wherein the media digital file program content has been pre-prepared from the group consisting of audio, video, image, 3-D, database information and combinations thereof
4. The process of claim 3 wherein the sequences of executable code are prepared in any computer program format.
5. The process of claim 4 wherein the sequences of executable code are prepared from the group consisting of computer-programmed Java class files, Macromedia Shockwave, Flash, binary executables, byte codes, Visual Basic and Java Script.

6. The process of claim 4 wherein the program content of said sequences of executable code are selected as one or more of graphic, interactive, and e-commerce content.

7. The process of claim 6 wherein said program content includes one or more of advertising, transactional advertising, interactive music videos, and e-commerce.

8. The process of claim 3 wherein the media file has been pre--prepared to comprise audio program format and the embedded executable code is prepared to provide image supplementation.

9. The process of claim 1 wherein the embedding in the media file is effected at predetermined time intervals.

10. The process of claim 1 wherein the execution of the code is synchronized with the playback of the media files.

11. The process of claim 1 wherein said embedding of the executable code into the media file is effected seamlessly with backward compatibility with the media file format, and is unobtrusive to a user of the playback.

12. The process of claim 11 wherein a checksum is used during the execution of the code at the playback, to verify that the embedded executable code has been extracted correctly.
13. The process of claim 1 wherein the embedding is effected by steganographic techniques
14. The process of claim 13 wherein the encoding of the executable code in the media file is effected by one of low-bit encoding and frequency-domain low-bit encoding.
15. The process of claim 13 wherein the embedding is effected at substantially greater than 300 bits/second of executable code in the media file.
16. The process of claim 1 wherein the media file is an MPEG audio file containing an MP3 audio stream.
17. The process of claim 16 wherein, in the encoding process, the executable code is unsynchronized from synchronization bytes of the audio stream and encapsulated in ID3v2 format before insertion at the beginning of the MP3 audio stream from the audio file.
18. The process of claim 16 wherein, in the encoding process, executable code bits are inserted at the end of the audio file data in each audio frame to encode ancillary data.

19 The process of claim 18 wherein the MPEG audio file is recompressed to ensure room for executable code at the end of the frames.

20. The process of claim 16 wherein the executable code is encoded in private data packets for the insertion and embedding of new private data packets into the existing MPEG file.

21. The process of claim 13 wherein the executable code is transformed into a bit stream and inserted and embedded at selected locations in the media file identified as locations where minor changes to the media file content produce minimal effects during playback.

22 The process of claim 1 wherein, prior to the encoding embedding of the executable code into the media file, the media file is subjected to a digital watermarking process.

23. The process of claim 1 wherein the pre-prepared media file is an MP3 file and the executable code is seamlessly embedded therein and prepared to provide the supplemental program content selected from the group consisting of transactional advertising, games, polls, contests, interactive music videos and e-commerce.

24. A system for flexibly adding supplemental digital program content to the playback of a pre-prepared media digital file by digital playback apparatus, comprising, means for modifying the pre-prepared media file to embed sequences of executable code therein

representing such supplemental program content; means provided in the digital playback apparatus for decoding the embedded code during playback of the modified media file at the digital playback apparatus; and, in addition to means for playing back the pre-prepared content of the media file, means provided at the digital playback apparatus responsive to the decoding for also presenting thereat the supplemental program content.

25 The system of claim 24 wherein the executable code sequences are selected to contain one or more of graphic, interactive and e-commerce program content.

26 The system of claim 25 wherein said program content includes one or more of advertising, transactional advertising, games, polls, contests, interactive music videos and e-commerce.

27 The system of claim 24 wherein the media file is an MPEG audio file containing an MP3 audio stream.

28 The system of claim 27 wherein the modifying means comprises means for unsynchronizing the executable code from synchronization bytes of said audio stream and encapsulating the code in ID3v2 format before insertion at the beginning of the MP3 audio stream from the audio file.

29. The system of claim 27 wherein, in the encoding process, means is provided for inserting executable code bits at the end of the audio file data in each audio frame to encode ancillary data.

30. The system of claim 29 wherein the MPEG audio file is recompressed to ensure room for executable code at the end of the frames.

31. The system of claim 27 wherein means is provided for encoding the executable code in private data packets for the insertion and embedding of new private data packets into the existing MPEG file.

32. The system of claim 24 wherein the modifying means comprises steganographic coding means and wherein means is provided for transforming the executable code into a bit stream and for inserting and embedding bits at selected locations in the media file, identified as locations where minor changes to the media file content produce minimal effects during playback.

33. The system of claim 24 wherein means is provided, operable prior to the encoding-embedding of the executable code into the media file, for subjecting the media file to a digital watermarking process.

34. The system of claim 24 wherein the pre--prepared media file is an MP3 file and the executable code is seamlessly embedded therein and prepared to provide supplemental

program content selected from the group consisting of transactional advertising, games, polls, contests, interactive music videos and e-commerce

35. A method of conducting advertising and e-commerce business through an expanded use of digital media playing apparatus, that comprises, seamlessly embedding in digital entertainment media files pre-prepared for entertainment playback by said apparatus, executable code representing supplementary digital advertising and e-commerce business solicitation program content; and modifying said apparatus to enable also decoding of said code by the apparatus so as to enable playback at said apparatus of said business solicitation program content as a supplement to the playback of the entertainment file, and without affecting the backwards compatibility of the file format, thereby to provide business solicitation opportunities not previously provided at such apparatus

36 The method of claim 35 wherein the media file contains audio MPEG formats and said playback apparatus is adapted for playing MP3 data streams of such formats.

Abstract

Encoding System Overview

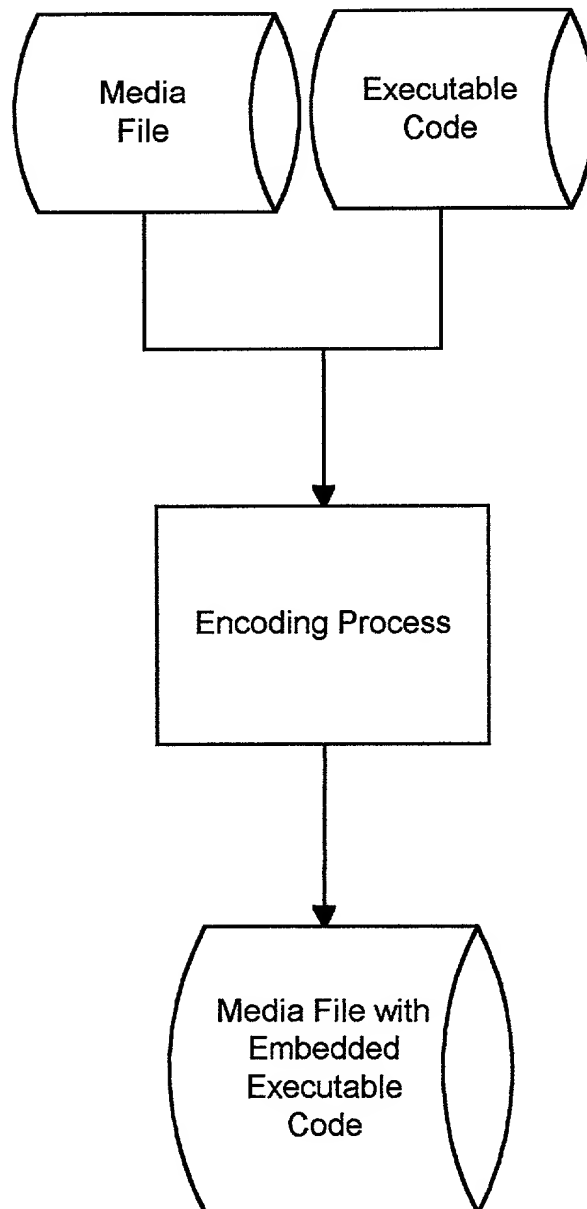


Figure 1



Figure 1a



Figure 1b

sony

THE OK-TOU

Buy Tickets \$22.50

Buy CD \$14.95

sony

M SCI vol

001

01:10.92

traveller.mp3 - Talvin Singh / Traveller

Figure 1c

Decoding System Overview

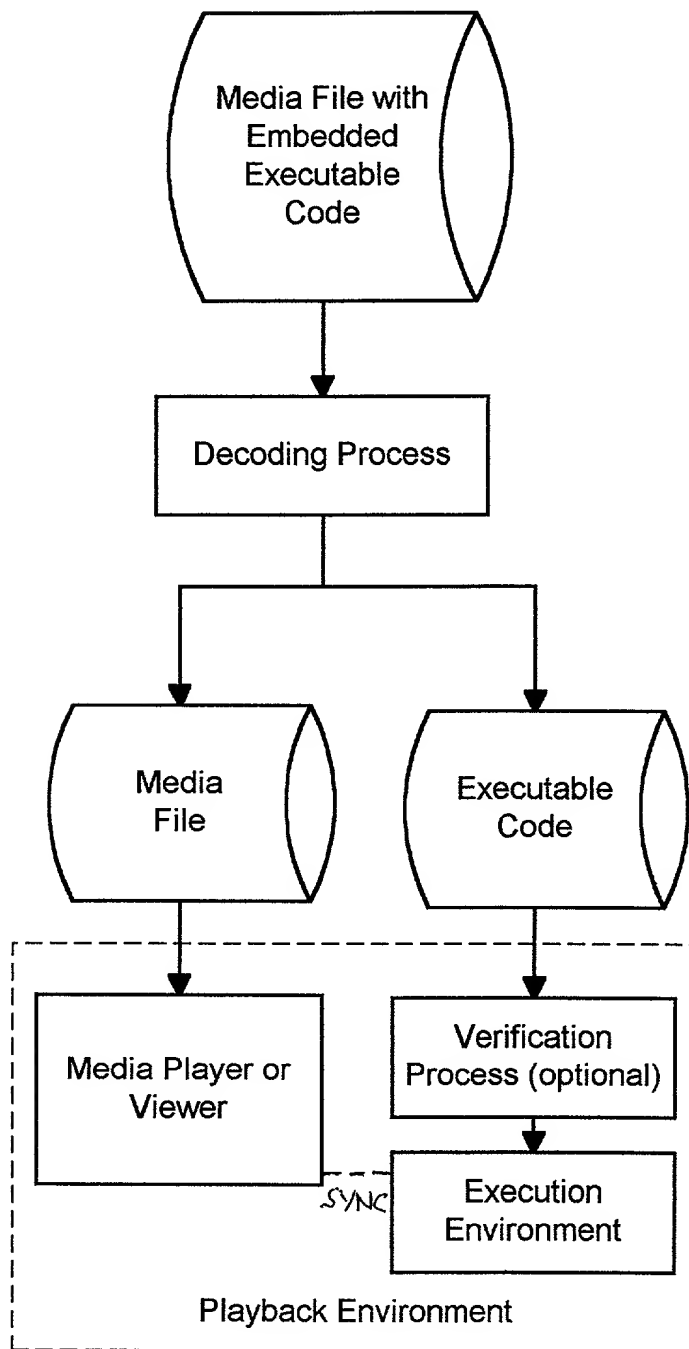


Figure 2

MPEG Audio with id3v2 Encoding

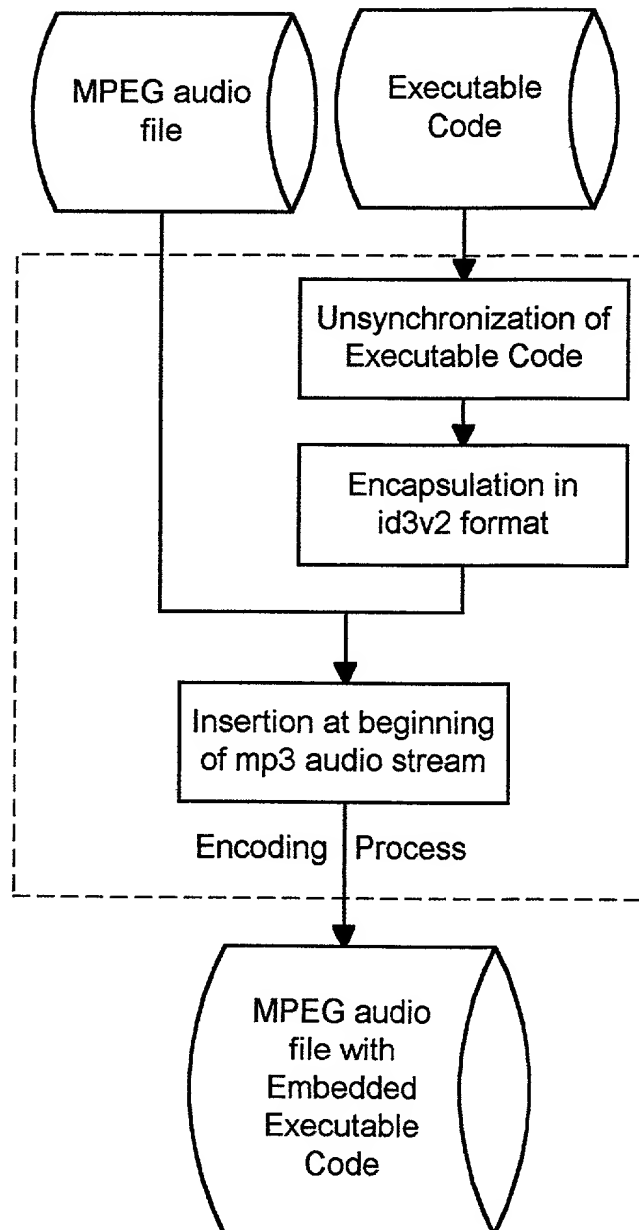


Figure 3

MPEG Audio with Ancillary Bits Encoding

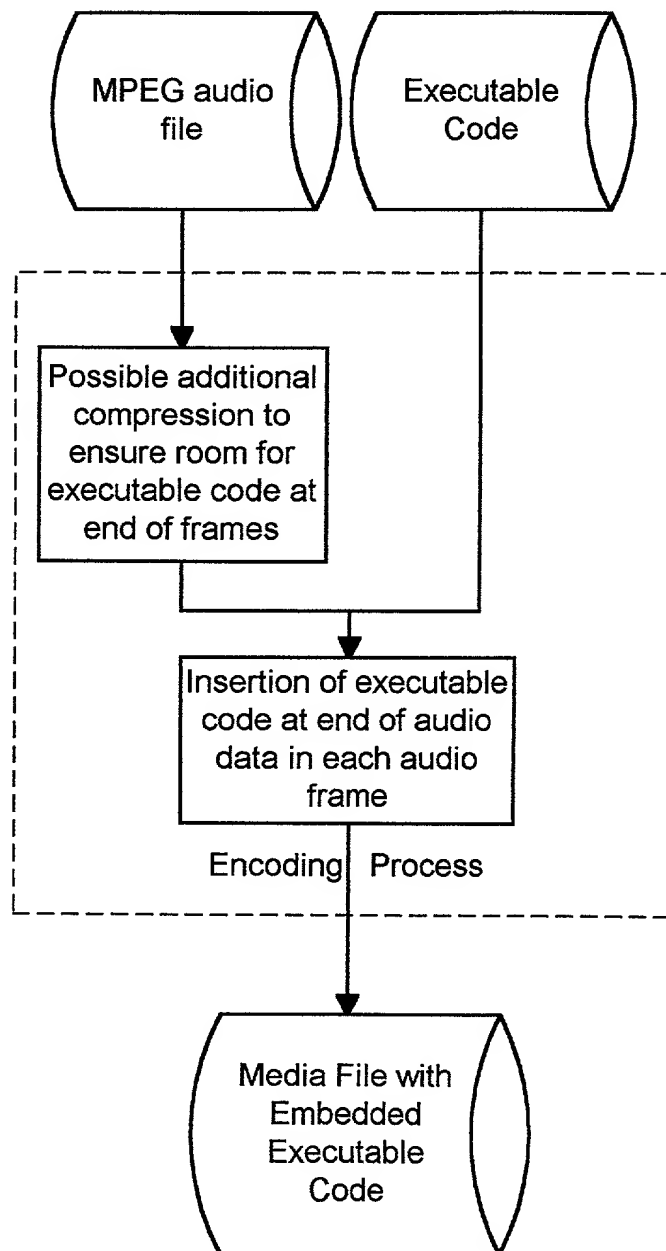


Figure 4

MPEG with Private Stream Encoding

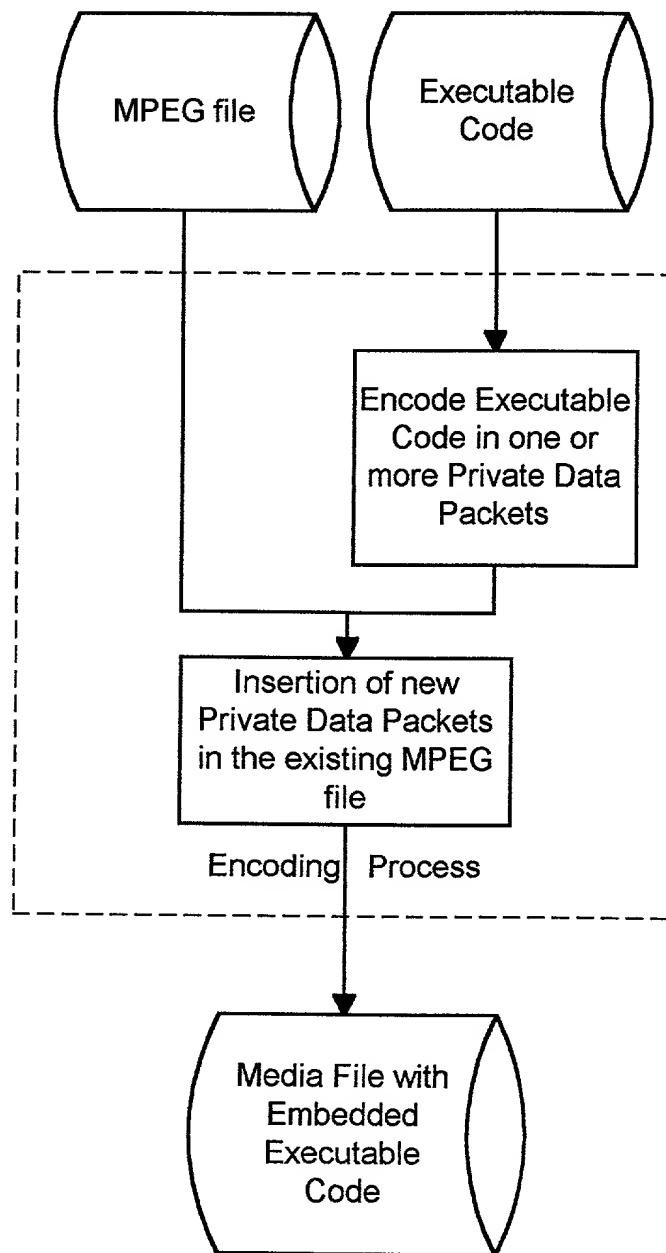


Figure 5

Encoding Using Steganographic Techniques

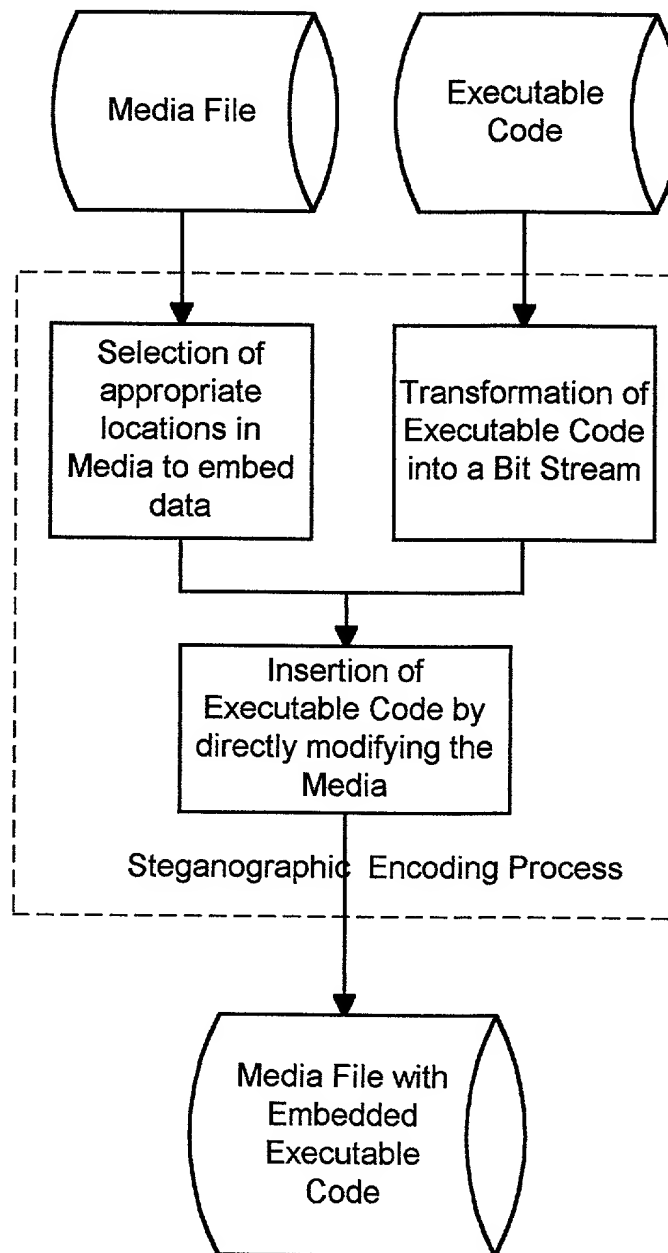


Figure 6

Using Watermarking with Encoding

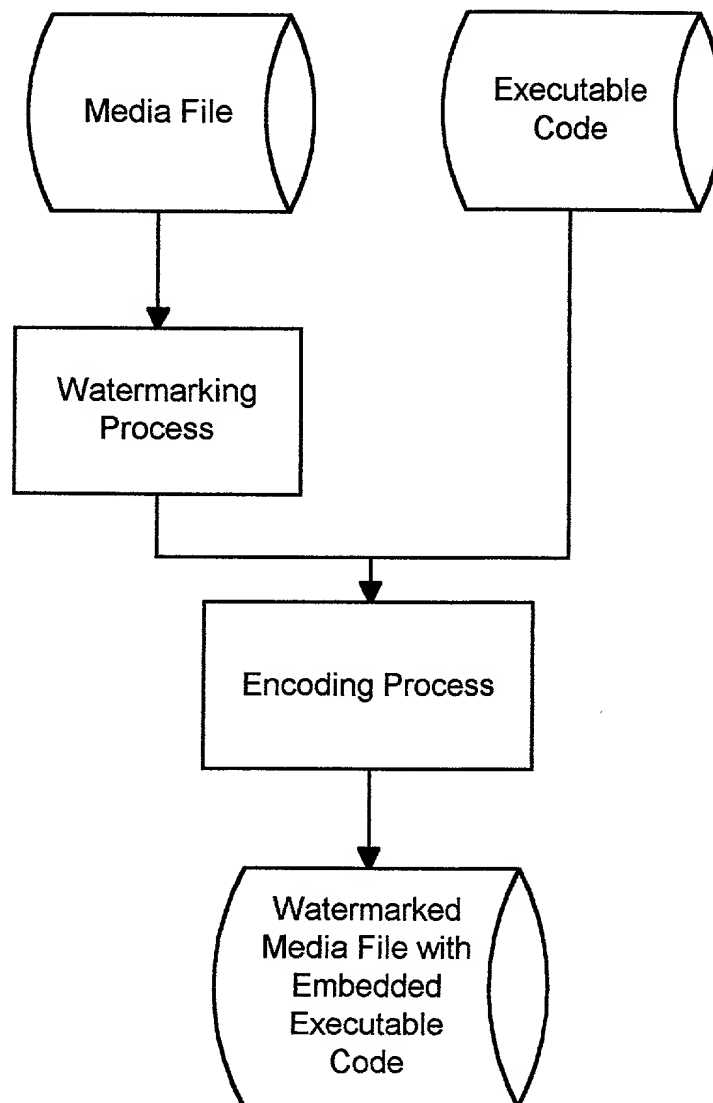


Figure 7

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Process Of And System For Seamlessly Embedding Executable Program Code Into Media
File Formats Such As MP3 And The Like For Execution By Digital Media Player And
Viewing Systems

the specification of which

☒ is attached hereto.

was filed on _____, as United States Application Serial No.

or PCT International Application No. _____

and was amended _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

Serial No.	Country	Filing Date	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

And I hereby appoint Robert H. Rines, Reg. No. 15,932, and Robert Shaw, Reg. No. 20,440, of the firm of Rines and Rines, Reg. No. 16,118, 81 North State Street, Concord, New Hampshire 03301, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Signature: _____

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